

that there was a possibility that we might decide otherwise. Whether the Senate chooses to conduct business has no relevance here. Instead, it is the ability of the Senate to conduct business if it so chooses that matters.

Faced with this reality, the Obama administration even argued that the Senate, by refusing to adjourn for more than 3 days, could not deny the President his recess appointment power—as if he was owed the opportunity to use this power.

This argument turns basic structure of Presidential appointments on its head, as if our advice-and-consent role were merely an inconvenience to be avoided rather than the organizing principle of how the entire constitutional process is designed to work. The Constitution does not create in the President an endlessly flexible power to bypass Congress when he disagrees with us. In fact, it does exactly the opposite: It vests in Congress both the power and the responsibility to resist a President's ill-advised policies and Executive overreach.

The actions and arguments advanced by the Obama administration represent a direct assault on the Constitution's division of powers between the different branches. This brazen power grab takes President Obama's already audacious overreach to a new level.

I applaud the Supreme Court's willingness to fulfill its constitutional obligations and check this abuse of power by the White House. While I agree most with the reasoning of Justice Scalia's concurrence, which respects the fixed and discernible meaning of the Constitution's text and its controlling power, the unanimous nature of this decision reflects just how egregious the President's action was.

But those of us who care about checking the Obama administration's overreach cannot place our faith in the courts alone, although they must play an important role. Too often this administration has been crafty in implementing its breaches of the law to avoid judicial review, frequently structuring its overreach to prevent any plaintiff from having any legal standing to sue in court. This White House has even used its role in the legislative process to advance provisions that eliminate the potential for judicial review, as it did in Dodd-Frank. And when the courts have found legitimate occasion to scrutinize President Obama's overreach, the administration has often fought to keep litigants out of court, as in the Fast and Furious litigation.

Perhaps most disturbing is what happened with the DC Circuit, the second most important court in the land that oversees our massive regulatory state, the court that originally held the President's appointments unconstitutional. When the DC Circuit tried to hold the Obama administration accountable to the law and the Constitution, President Obama and his allies sought—in their own words—to “switch

the majority” on the court and to “fill up the D.C. Circuit one way or another.”

In the rush to eliminate any possible judicial obstacle to accountability by packing the DC Circuit, the Obama administration ran roughshod over the rules and traditions of this body by blowing up the filibuster. Whether through unilaterally changing the Senate rules or abusing the recess appointment power, the President and his allies have demonstrated a willingness to work untold and permanent damage to the institutions of this great body and to our constitutional system itself.

With such a powerful and aggressive President, no single institution can restore the constitutional checks on President Obama's often lawless exercise of power. Restoring constitutional government will require great effort by all of us: The courts, the Congress, and most importantly the voting public. That is why it is essential for my colleagues on both sides of the aisle to stand and defend the institutional prerogatives of the Senate. That is every Senator's sworn duty under the Constitution.

Many of my colleagues—even those with whom I rarely agree—have the potential to be great Senators, worthy stewards of this institution, zealous guardians of its prerogatives and true defenders of its role in our constitutional system of government.

Sadly, whether blinded by partisan loyalty to the President or too inexperienced to understand the Senate from any other perspective than having a like-minded Senate majority and President, my colleagues on the other side of the aisle have allowed—even facilitated—this administration's attempts to break down the constitutional checks on Executive power. Bob Byrd must be rolling over in his grave. He would never allow the Senate's power to be as diluted and dissipated as it has been during this Presidency. He would have stood up to them. He would have taken the Senate's prerogatives and made them very clear to this President and anybody else who tried to invade the Senate's prerogatives—and I might add constitutional prerogatives at that.

We must all realize what is at stake. This is not some petty turf war. As Madison warned in Federalist 47, “The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.”

To disregard this central principle of constitutional government is to abolish the barriers protecting us from arbitrary government action and to undermine the rule of law.

We in the Congress should make no apology for protecting the legal prerogatives of the body in which we serve, for as Madison counseled in Federalist 51: “[t]he great security against a gradual concentration of the several powers

in the same department consists of giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others.”

If this body—and constitutional government generally—are to maintain a meaningful role in preserving liberty, we must all realize the importance of connecting the President's unlawful and illegitimate attempts to assert power. We must use the rightful and legitimate constitutional authorities that the Founders gave us to stand and fight back.

This is important. This is not just a battle between the two sides. This is not just an itty-bitty, little problem. This is one that has thwarted the intentions of the Founders to have three separated powers, each with its own duties and responsibilities, not infringed by the other powers that disregard the duties and responsibilities of the legislative branch.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONGRATULATING MEREDITH MELLODY

Mr. REID. Madam President, it is always rewarding to see people go on to bigger and better pursuits in their careers, unless, of course, we depend on them. And for almost my entire time as majority leader here in this body, one of the people I have depended on is Meredith Melody. Isn't that a great name, Meredith Melody. She has been an important part of the Democratic floor staff for that entire time.

For 8 years she has been here in the Senate, working late hours on the floor, sending me, among other things, the wrapup—she did that for a while—what happened during the day. It is tedious, but it is important, and we did it every day. She has been in the cloakroom making sure the wheels of this body continue turning. She comes from a political family. She comes, as I recall, from Scranton.

Anyway, I am grateful for her hard work and her dedication over the years. We all depend on her and have depended on her, and we are very thankful for her service.

She is leaving the Senate to pursue opportunities in the private sector, and that is important. But the main reason she is leaving—that I don't question, anyway, recognizing this is very important to her, and it is probably one of the most important things she has ever done—if not the most important—she is going to get married. I have already congratulated her.

But it is really sad to see these people who have become a part of our family go. She is going to be successful in

her future endeavors in the private sector.

I certainly wish you, Meredith, the best in the future. You are a wonderful person. You are kind, thoughtful, and considerate always. You are never rude to anyone. And the pressure that is on each of you to do this yesterday, do it right now, and do it sooner than you are capable of doing it—you have always been polite and never rude to anyone.

So I am grateful to you for your service to the Senate and, in doing that, your service to the country.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### IMMIGRATION REFORM ANNIVERSARY

Mr. LEAHY. Madam President, one year ago tomorrow, the Senate came together to pass historic legislation to reform our broken immigration system. We did so with a strong bipartisan vote and after weeks of exhaustive work. The Border Security, Economic Opportunity, and Immigration Modernization Act would unite families, spur the economy, and help protect our borders. Above all else, this historic legislation would create an immigration system that is worthy of our American values.

Today, our system does not reflect the values we hold as a nation. It is devastating that after 1 year, the House has yet to pass desperately needed immigration reform. The cost of inaction is all around us, from the millions of workers who are forced to live in the shadows without fully contributing to our economy, to the foreign-born students who are taking their skills overseas when they graduate instead of investing their talents here, to the uncertainty that continues to plague our agricultural and dairy industries because of unstable work visa programs. Families are being torn apart by deportations, and visa applicants around the world find themselves stuck in limbo because of our lengthy visa backlogs. However, nowhere is the cost of inaction more evident than in the faces of the young children sleeping on cold floors in detention centers on our border.

The humanitarian crisis at the border is growing, and we have a moral duty to address it. I was glad this body came together last year to support my bipartisan Trafficking Victims Protection Reauthorization Act, which included important new provisions to improve the treatment of unaccompanied children at our border. This vital legislation, signed into law as part of the Leahy-Crapo Violence Against Women Reauthorization Act of 2013 provides additional advocates and support for the unaccompanied youngsters who come to our border often fleeing violence and abuse in their country of origin. I was proud when the Republican-controlled House voted overwhelmingly to support these important protections for unaccompanied minors. But they address just one piece of a rapidly growing problem. To truly address the crisis we are seeing today, the Republican House must act to pass bipartisan and comprehensive immigration reform.

Those Republican critics who claim we must first secure our border before the House will vote on immigration reform should actually read the bipartisan Border Security, Economic Opportunity, and Immigration Modernization Act that the Senate passed last year. The bill would double the number of Border Patrol agents and authorize the completion of a 700-mile wall at the southern border. This language was a Republican demand during Senate consideration of the legislation. While I did not agree with it, I voted to authorize this so-called border surge because I supported the broader reform that would do so much for the families and DREAMers who contribute to the fabric of this Nation. Border security measures take up an entire title of the legislation, allocating billions of dollars to border security in addition to the considerable expenditures already authorized by existing law. Those measures are reinforced by “triggers” that must be satisfied before undocumented individuals may apply for permanent residence under the bill. These issues were hard-fought in the Senate, and the result was legislation that dramatically reshaped the landscape for border enforcement. So I say again, those who claim we must secure our border before passing immigration reform should look at the bill this Senate passed with broad bipartisan support a year ago.

Americans have seen too much inaction in Washington. The issue before us is too important to simply put off for another time. Just as House Republican leaders set aside partisanship to do what is right by passing the Leahy-Crapo Violence Against Women Act, they should again recognize that a majority of the Chamber supports passing comprehensive immigration reform. Immigration reform should not be held back due to partisan caucus rules that say only legislation supported by the majority of Republicans can be considered. All Members, Democrats and Re-

publicans, should have the courage to vote. House Republican leaders cast aside partisanship and showed their courage last year by bringing the Leahy-Crapo Violence Against Women Act to the floor. They should do so again today.

Legislating is about making tough choices. It is not about standing on the sidelines and complaining that this solution is not perfect. It is about supporting efforts that move this country forward. The bipartisan legislation we passed had the support of businesses, community and faith leaders. It received support from groups ranging from the chamber of commerce and Americans for Tax Reform to law enforcement, university presidents, civil rights groups, and community advocates. Voices from across the Nation and the political spectrum came together in support of enacting long-overdue reforms.

I have been privileged to serve in this great body for nearly four decades because of the trust of the people of Vermont. In my time here, I have rarely seen such commitment to an issue as I did last year to comprehensive immigration reform. What was initially a proposal from the so-called Gang of 8 went through an extensive committee and floor process to allow every Senator to offer their input. The result was an historic bill supported by 68 Senators from both sides of the aisle. I congratulate those Senators for their hard work to pass this historic legislation. They share my belief that the status quo is not an option. President Obama, who has called the crisis at the border an “urgent humanitarian situation,” knows that maintaining the system we have in place today is not an option. We need a long-term plan to address the many problems in our immigration system and to ensure that in the future we have the tools to address crises like the one we are seeing now. That solution lies in passing the Senate immigration bill.

There is still time this year to accomplish meaningful and historic reform. I urge Republican leaders in the House not to waste another day and to bring up the bipartisan Border Security, Economic Opportunity, and Immigration Modernization Act.

#### ECUADORAN AMAZON OIL DRILLING

Mr. LEAHY. Madam President, I wish to call attention to a recent decision by the Ecuadoran Government to issue a permit for oil drilling in the Yasuni reserve in the Amazon region. This should raise alarm bells in the international community for a number of reasons.

It was not long ago that President Correa was supporting a lawsuit against Chevron, citing contamination that resulted from oil exploration by Texaco, the previous owner of the